Docket No.: 09637/000L305-US0

#### **REMARKS**

This submission is in response to the Official Action dated July 16, 2003. Reconsideration of the above identified application, in view of the above amendments and the following remarks, is respectfully requested.

# I. Status of the Claims

Claims 33 and 34 have been added.

Claims 1-34 are presently pending.

Claim 17 has been amended.

Claims 4-16 and 23-32 have been withdrawn from consideration in accordance with the Examiner's restriction requirement.

Claims 1-3 and 17-22 stand rejected.

No new matter is added.

## II. Election/Restrictions

The Examiner has stated that it is unclear how claims 23-32 can now be generic and/or readable on species A1 (Figures 1-4).

Claim 23 recites, "said adjusting means being a single, shared adjusting means on which the motion of each of said at least one drive branching link is dependent." Applicant respectfully submits that claim 23 is readable on Species A1 (Figures 1-4), which is described as follows:

Slider 13, connected to the small end of connection rod 11 through bin 12 reciprocates along groove 15 of adjusting mechanism 10. Connecting link 26

converts this reciprocating motion to a substantially vertical reciprocating motion of slider 23 in linear guide mechanism 20... Slider 23 connects to each branching link 27 through lower support point pin 25. Each branching link 27 converts the vertical reciprocation of slider 23 into oscillation of each upper toggle link 30. (See Specification, page 14, line 26, to page 15, line 8.)

Thus, Applicant respectfully submits that claim 23 is readable on species A1 (Figures 1-4).

## III. 35 U.S.C. § 102(b) Rejection

Claims 1-3 and 17-22 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,860,318 to Thomas. Applicant respectfully traverses this rejection, and reconsideration is respectfully requested.

Thomas discloses a stroke adjustment device for pickling machines in which the stroke length of needle carrier 12 can be varied by suitably adjusting coupling point 32. In Thomas' first embodiment (Figures 1 and 2) and second embodiment (Figures 3 and 4), the lower dead-point position remains in the same position and the height of the upper dead-point position is changed while the stroke length is adjusted (see Thomas, column 3, lines 42-47). In Thomas' second embodiment, the stroke length is changed by adjusting the lower coupling point of joint rod 30 so that the joint rod 30 is pivoted around the upper coupling point 36 in the lower dead-point position (see Thomas, column 4, lines 18-24).

Regarding claim 1, Thomas fails to disclose "at least one drive branching link in said guiding means," as required in the claimed invention. The Examiner contends that Thomas' connecting link 34 and the lower half of telescopic column 16 act as the drive branching link and guiding means, respectively, of the present invention. However, the connecting link 34 is not in the telescopic column 16, as contended by the Examiner. Rather, as shown in Figures 1-4 of Thomas, the connecting link 34 is located in an intermediate lever 24, which connects to a needle carrier 12 via a joint rod 30. The needle carrier 12 is fastened to the end of the telescopic column 16. Thus, Thomas' connecting link 34 is not located in the telescopic column 16, as contended

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by the Examiner, since the connecting link 34 and telescopic column 16 are physically separated by at least the needle carrier 12 and the joint rod 30, which act as the slide and upper toggle means of the claimed invention, respectively, as contended by the Examiner.

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Thomas does not disclose all of the elements of the present invention, as set forth in claim 1. Claims 2 and 3 depend from claim 1 and are therefore also patentable for at least the same reasons.

Claim 17 has been amended to recite that "said adjusting means being pivotable to a specified angle to adjust a stroke of said slide; and said adjusting means transferring a sliding, reciprocating motion to said slide."

The sliding, reciprocating motion that is transferred to the slide is described in the Specification as follows:

An adjusting mechanism 10 is constructed from linear slider 13 and pivotable guide board 14... (See Specification, page 13, lines 7-8.)

During adjustment, guide board 14 is pivoted and the slope angle of groove 15 becomes a slope angle  $\beta$  (beta)... During the reciprocating motion of slider 13 at slope angle  $\beta$ , the motion of slider 13 is between a position of pin 12 and a position 12b. (See Specification, page 15, line 25, to page 16, line 5.)

The Examiner contends that Thomas' drive mechanism 14 acts as the adjusting means of the claimed invention. However, Thomas' invention does not include an adjusting means that is pivotable about a specified angle and that is capable of transferring a sliding, reciprocating motion to the slide, as required in the claimed invention. Thomas' connecting rod 22 is driven by the rotation of crankshaft 18; however, the ends of the connecting rod 22 are fixed with respect to the crankshaft 18 and the connecting link 34. Thus, the connecting rod 22 does not slide, and the motion that is transferred to the needle carrier 12 (the slide, as contended by the Examiner) is not a sliding motion.

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Thomas does not disclose all of the elements of the present invention, as set forth in claim 17. Claims 18-22 depend from claim 17 and are therefore also patentable for at least the same reasons.

Based on the foregoing, the rejection of claims 1-3 and 17-22 under 35 U.S.C. § 102(b) should be withdrawn, and reconsideration is respectfully requested.

#### **CONCLUSION**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: January 13, 2004

Respectfully submitted,

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